

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>6/13/2025</u>

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X		
CAVALIER KNIGHT,	:	
	:	
Plaintiff,	:	22-CV-10755 (VEC) (VF)
-against-	:	
	:	<u>ORDER</u>
CITY OF NEW YORK; EDWARD CABAN, ¹	:	
	:	
Defendants.	:	
	:	
-----X		

VALERIE CAPRONI, United States District Judge:

WHEREAS on December 20, 2022, Cavalier D. Knight, proceeding *pro se*, sued New York City and the Police Commissioner challenging a rule issued by the New York City Police Department, 38 RCNY § 25(d)(4)(i) (the “NYPD Rule”), that limits to two the number of handguns that can appear on a carry handgun license, Compl. at 1;

WHEREAS Knight alleged that the NYPD Rule violates his rights under the Fifth, Fourteenth, and Second Amendments, and NY Civil Rights Law § 4 (“Section 4”) and is preempted by New York Penal Law § 400.00, *id.* ¶¶ 23, 27, 34, 37–38, 53–54;

WHEREAS on January 17, 2023, the Court referred this matter to Magistrate Judge Figueredo for the preparation of a report and recommendation (“R&R”) on any dispositive motions, *see* Order, Dkt. 9;

WHEREAS on April 7, 2023, Defendants moved to dismiss the Complaint for lack of standing and failure to state a claim (the “Motion”), *see* Mot., Dkts. 22–24;

¹ On July 17, 2023, Edward Caban replaced Keechant Sewell as New York City Police Commissioner. Because Sewell had been named in her official capacity, Caban was substituted for Sewell as a party defendant. *See* Fed. R. Civ. P. 25(d).

WHEREAS on November 20, 2023, Judge Figueredo filed an R&R recommending that the Court grant the motion in full and dismiss Mr. Knight's claims, *see* R&R, Dkt. 40;

WHEREAS on March 12, 2024, following objections to the R&R, the Court issued an Order adopting the R&R in full, granting Defendants' motion to dismiss, and closing this case, *see* Order, Dkt. 48;


WHEREAS on April 10, 2024, Mr. Knight noticed an appeal, *see* Dkt. 51; and

WHEREAS on May 15, 2025, the Second Circuit granted Defendants' motion to dismiss the appeal as moot, vacated this Court's judgment, and remanded this matter with instructions to dismiss the action as moot;

IT IS HEREBY ORDERED that this action is DISMISSED as moot. The Clerk of Court is respectfully directed to close the case.

SO ORDERED.

Date: June 13, 2025
New York, New York



VALERIE CAPRONI
United States District Judge